


Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Associate Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin 
DATE: July 15, 2014
RE: 14-1206SP; 380 Colchester Avenue

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: RL Ward: 1

Owner/Representative: Nathaniel Hayward

Request: Sketch plan review of 3-lot subdivision.

Applicable Regulations:

Article 3 (Applications, Permits, and Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 10 (Subdivision Review)

Background Information:

The applicant is requesting sketch plan review of a minor 3-lot subdivision. Two new vacant building lots would result from the subdivision. The existing duplex would be retained and converted to a triplex. The property is relatively large at 1.43 acres, but much of it is wooded slope down to Riverside Avenue to the west. A similar subdivision was approved at 366 Colchester Avenue in 2012. As this subdivision would result in just 3 lots, it is eligible for combined preliminary/final plat review per Sec. 10.1.7 of the CDO when application for subdivision review is made.

Previous zoning actions for this property are noted below.

- 2/8/85, Approval to convert single family home to a duplex
- 6/18/75, Approval to construct carport
- 4/23/75, Approval to relocate house from 128 Riverside Ave to subject property

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

One new dwelling unit will result from the conversion of the duplex to a triplex. It is served by municipal water and sewer and will require additional service. The new vacant lots will be served by public sewer and water when and if developed in the future. Sufficient reserve capacity is available. A state wastewater permit will be required.

2. The character of the area affected;

The property is located within the Residential Low Density zone running in a strip along Colchester Avenue. Single family homes are the norm; however, institutional and commercial uses and a cemetery are all located close by. The RL zone is intended primarily for single family homes and duplexes. Insofar as the two newly created lots could be developed with single family homes, the proposed subdivision can be found in character with the area.

3. Traffic on roads and highways in the vicinity;

The subdivision itself will not create any additional traffic. The conversion from duplex to triplex will entail minimal additional traffic. If the vacant properties are developed in the future, additional traffic created by two new single family homes would be negligible.

4. Bylaws then in effect;

The sketch plan appears to be generally compliant with applicable bylaws.

5. Utilization of renewable energy resources;

Not applicable.

6. Cumulative impacts of the proposed use;

Not applicable.

7. Functional family;

Not applicable.

8. Vehicular access points;

The sketch plans depict two shared driveways. This configuration reduces the potential number of access points along Colchester Avenue. The proposed curb cuts will need review and approval by the Department of Public Works. Sight lines will be particularly important in this location.

9. Signs;

Not applicable.

10. Mitigation measures;

Not applicable.

11. Time limits for construction;

Not applicable.

12. Hours of operation and construction;

Not applicable.

13. Future enlargement or alterations;

Not applicable.

14. Performance standards;

Not applicable.

15. Conditions and safeguards;

No conditions are included in sketch plan review.

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) Residential Low Density (RL)

The subject property is located in the RL zone, which is intended primarily for single family homes and duplexes. The existing duplex would be converted to a triplex as allowed under Sec. 4.4.5 (d) 5 A noted below. The proposed vacant lots would be large enough to each contain a single family home.

(b) Dimensional Standards & Density

The minimum lot size in the RL zone is 6,000 sf for single family homes and 10,000 sf for duplexes. The existing lot would be subdivided into lots 1, 2, and 3. They would be 48,955 sf, 6,065 sf, and 7,471 sf, respectively. Lots 2 and 3 are adequately sized for single unit density (7 units/acre in the RL zone). Lot 1 is sufficiently sized for the duplex conversion to triplex.

All three lots will have more than the minimum required 60' road frontage.

Building envelopes are depicted on the two new vacant lots, lots 2 and 3. Compliant front, side, and rear yard setbacks are depicted. The shared driveways are depicted along shared lot lines and are allowed per 5.2.5, *Setbacks*, (b) *Exceptions to Yard Setback Requirements*, 6.

No new lot coverage is included in this proposal. Lot coverage on lot 1 obviously remains compliant; however, no actual lot coverage calculation has been provided. One will be needed upon subdivision review.

Existing building height is unaffected by this proposal. The height of new homes must be indicated when proposed.

(c) Permitted & Conditional Uses

Two detached single family homes may be allowed (one on each new vacant lot) under separate permit. Single family homes are permitted uses. The existing duplex will be converted to a triplex and is subject to conditional use review and approval.

(d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

Not applicable.

B. Encroachment into the Waterfront Setback

Not applicable.

2. Height

A. Exceptions in the Waterfront RM District

Not applicable.

3. Lot Coverage

A. Exceptions for Accessory Residential Features

Not applicable.

4. Accessory Residential Structures and Uses

Not applicable.

5. Residential Density

A. Additional Unit to Multi-Family

The duplex was approved in 1985 and, therefore, may be converted to a triplex under this provision.

6. Uses

Not applicable.

7. Residential Development Bonuses

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) above.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion.

Sec. 5.5.2, Outdoor Lighting

Not applicable.

Sec. 5.5.3, Stormwater and Erosion Control

An erosion prevention and sediment control plan will be required for the construction associated with the duplex conversion to triplex. Similarly, erosion prevention and sediment control plans will be required for construction of single family homes on the new vacant lots. These plans will require review by the Stormwater Administrator.

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

(a) Protection of important natural features

The subdivision itself will have no impact on important natural features. The proposed building envelopes depict where development may take place. The building envelope on lot 2 largely avoids the steep slope to the west. Quite to the contrary, much of the building envelope on lot 3 extends over the steep slope. As required for the neighboring subdivision at 366 Colchester Avenue, the building envelope on lot 3 should be revised to avoid all or most of the slope to the west.

Much of the property, including all of the slope, is wooded. At the time of subdivision application, specimen trees (i.e. > 30" caliper) must be noted. Given the size of the property and the limited potential development, identification of specimen trees may be limited to the newly created lots 2 and 3. Very limited potential clearing is depicted on lot 1. Specimen trees should be retained insofar as possible, and a tree protection plan must be submitted as part of any construction plan for development of either new lot.

(b) Block size and arrangement
Not applicable.

(c) Arrangement of Lots
Lots 2 and 3 will be regularly shaped rectangular lots. The built area of lot 1 will be regularly shaped as well; however, it will have a large rear appendage consisting of the unbuildable slope. Lot sizes vary widely along Colchester Avenue. The proposed lots would be within the established size range.

(d) Connectivity of streets within the city street grid
While no new streets are proposed, the new lots will access Colchester Avenue with shared driveways. Given the grades onsite and the curvature of Colchester Avenue along the properties' frontage, adequacy and safety of vehicular access onto the street is a concern. The proposed driveway locations will be subject to review and approval by the Department of Public Works.

(e) Connectivity of sidewalks, trails, and natural systems
Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

Only basic site plan details have been provided as related to the duplex to triplex conversion. Upon permit application, a fully developed site plan for lot 1 will be required.

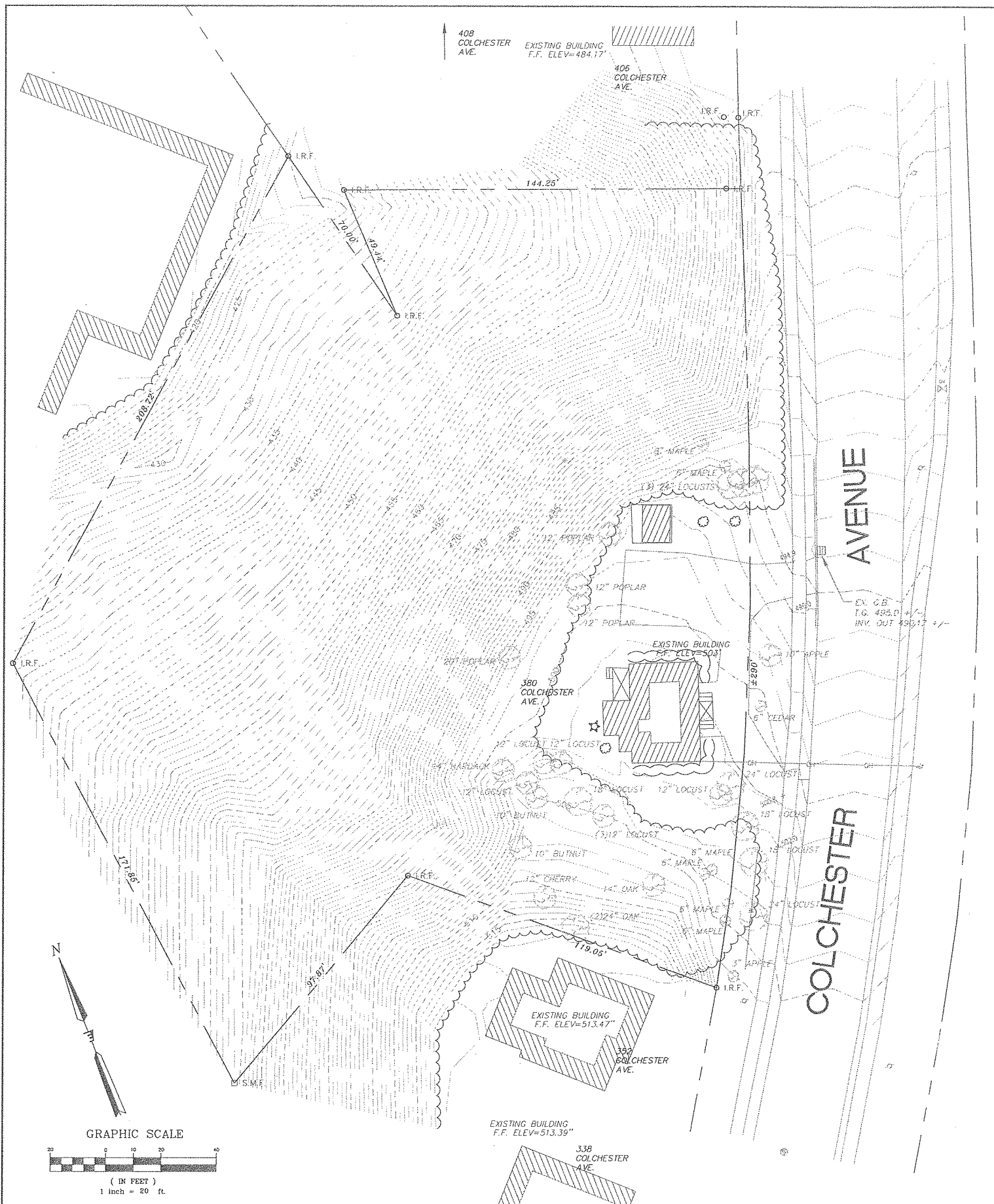
Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

No architectural details have been provided. Upon permit application, complete architectural plans for the proposed duplex to triplex conversion will be required. New single family homes on the newly created vacant lots are not subject to design review. Fully developed site plans will be required at the time of permitting for those homes.

Article 10: Subdivision Review

Other than making provision for sketch plan, no subdivision criteria pertain to sketch plan review.

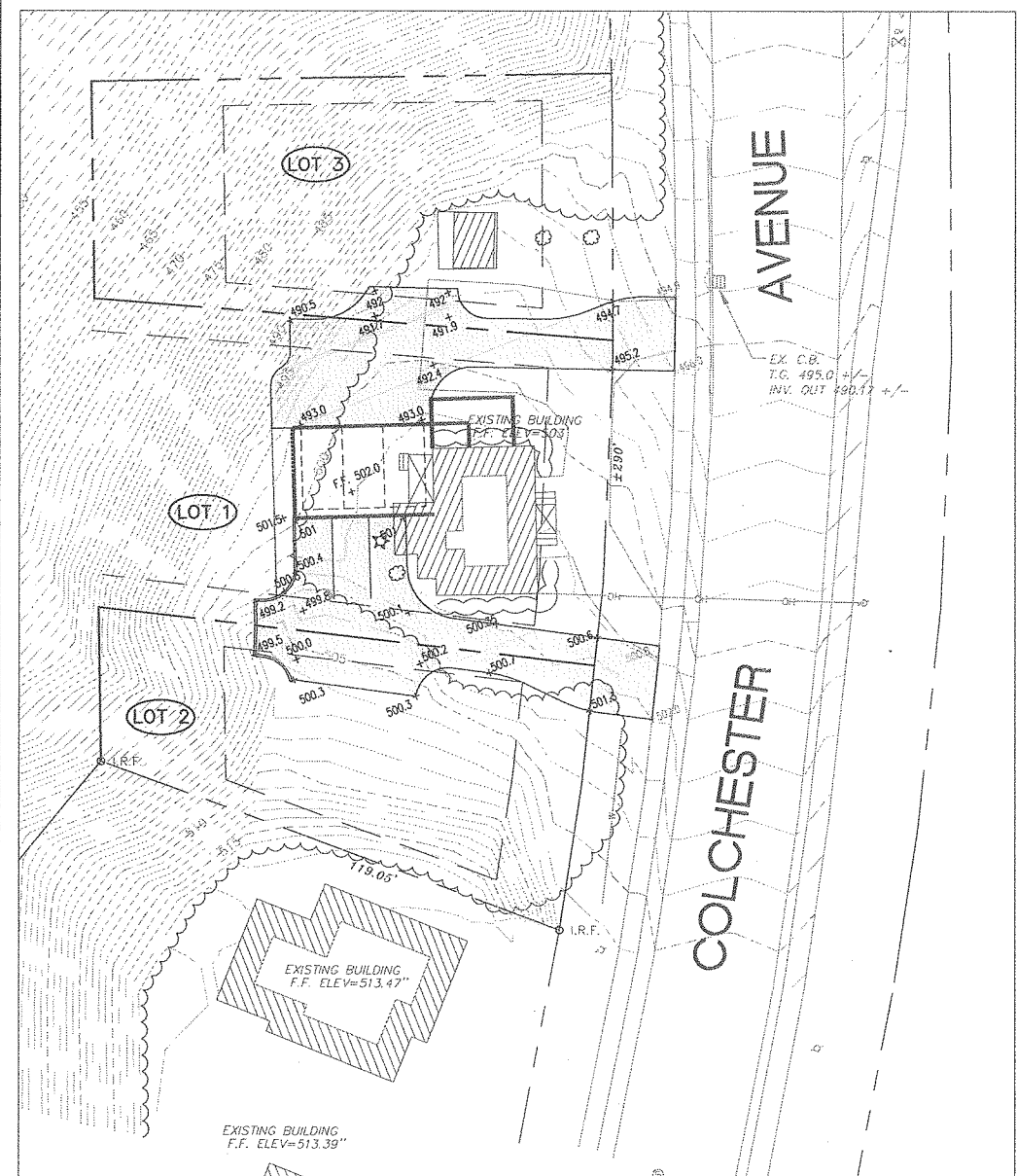


EXISTING CONDITIONS PLAN

ZONING TABLE

	REQUIRED	EXISTING	PROPOSED
MIN LOT SIZE	6,000 SF	62,491 SF (1.43 AC.)	LOT 1: 48,955 SF (1.12 AC.) LOT 2: 6,065 SF (0.14 AC.) LOT 3: 7,471 SF (0.17 AC.)
MIN LOT FRONTAGE	60'	289.94'	LOT 1: 79.36' LOT 2: 65.00' LOT 3: 65.00'
MIN/MAX FRONT YARD SETBACK (1)	LOT 1: 15.7' (EXIST.) LOT 2: 17.2' +/- 5' LOT 3: 20.25' +/- 5'	LOT 1: 15.7' (EXIST.) LOT 2: N/A LOT 3: N/A	LOT 1: 15.7' LOT 2: N/A LOT 3: N/A
MIN SIDE YARD SETBACK (2)	LOT 1: 7.9' LOT 2: 6.1' LOT 3: 6.4'	LOT 1: 65.94' (EXIST.) LOT 2: N/A LOT 3: N/A	LOT 1: 12.33' LOT 2: N/A LOT 3: N/A
MIN REAR YARD SETBACK (3)	LOT 1: 66.6' (EXIST.) LOT 2: 30.0' LOT 3: 31.7'	LOT 1: 151.6' (EXIST.) LOT 2: N/A LOT 3: N/A	LOT 1: — LOT 2: N/A LOT 3: N/A

- NOTES
- (1) FRONT YARD BASED ON AVG. OF 2 ADJACENT LOTS ON BOTH SIDES.
- LOT 1: EXISTING BUILDING AND EXISTING 15.7' SETBACK USED.
 - LOT 2:
 - ADJACENT PROPERTIES SOUTH: 352 COLCHESTER AVE. = 21.7'
338 COLCHESTER AVE. = 15.4'
380 COLCHESTER AVE. = 15.7'
406 COLCHESTER AVE. = 16.0'
AVG = 17.2'
 - ADJACENT PROPERTIES NORTH: 380 COLCHESTER AVE. = 15.7'
352 COLCHESTER AVE. = 21.7'
406 COLCHESTER AVE. = 16.0'
408 COLCHESTER AVE. = 27.6'
AVG = 20.25'
 - LOT 3:
 - ADJACENT PROPERTIES SOUTH: 380 COLCHESTER AVE. = 15.7'
352 COLCHESTER AVE. = 21.7'
406 COLCHESTER AVE. = 16.0'
408 COLCHESTER AVE. = 27.6'
AVG = 20.25'
- (2) SIDE YARD BASED ON 10% OF LOT WIDTH
- LOT 1: PROP. LOT WIDTH = 78.9' x 10% = 7.9'
 - LOT 2: PROP. LOT WIDTH = 60.9' x 10% = 6.1'
 - LOT 3: PROP. LOT WIDTH = 63.5' x 10% = 6.4'
- (3) REAR YARD BASED ON 25% OF LOT DEPTH
- LOT 1: PROP. LOT DEPTH = 266.4' x 25% = 66.6'
 - LOT 2: PROP. LOT DEPTH = 120.0' x 25% = 30.0'
 - LOT 3: PROP. LOT DEPTH = 126.8' x 25% = 31.7'



PROPOSED SKETCH PLAN

GENERAL NOTES

1. THIS PLAN IS BASED ON A FIELD SURVEY PERFORMED BY RICHARD W. BELL LAND SURVEYING, INC. DATED JANUARY, 2014. BOUNDARY INFORMATION SHOWN HEREIN TAKEN FROM A BOUNDARY SURVEY PERFORMED BY RICHARD W. BELL LAND SURVEYING, INC. DATED JANUARY, 2014.
2. THE PROPERTY LINES, EASEMENTS AND OTHER REAL PROPERTY DESCRIPTIONS PROVIDED IN THIS PLAN ARE FOR THE USE OF THE CITY OF BURLINGTON AND FOR LOCAL PERMITTING ONLY. THEY DO NOT DEFINE LEGAL RIGHTS OR MEET LEGAL REQUIREMENTS FOR A LAND SURVEY AS DESCRIBED IN VT. AND SHALL NOT BE USED IN LIEU OF A SURVEY AS THE BASIS OF ANY LAND TRANSFER OR ESTABLISHMENT OF ANY PROPERTY RIGHT.
3. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES. EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY ALL UTILITY CONFLICTS. ALL DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT, OWNER, AND ENGINEER. THE CONTRACTOR SHALL CONTACT DIG SAFE A MINIMUM OF 48 HOURS PRIOR TO ANY CONSTRUCTION.

Stamp

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JUN 10 2014
DEPARTMENT OF
PLANNING & ZONING

Chkd.

Rev. No.

Description

ENGINEERING
VENTURES PC

302 Mountain View Drive
Colchester, VT 05446
(802) 578-5078
www.engineeringventures.com

Client:

Hayward Design Build
302 Mountain View Drive
Colchester, VT 05446
(802) 578-5078

Sheet Title:

Sketch Plan

Project Title:

380 Colchester Avenue
Burlington, VT

Designed By:

MD/KW

Checked By:

KW

Drawn By:

MD

Scale:

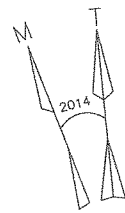
1" = 20'

Date:

06/04/14

SK-1

EV#14062



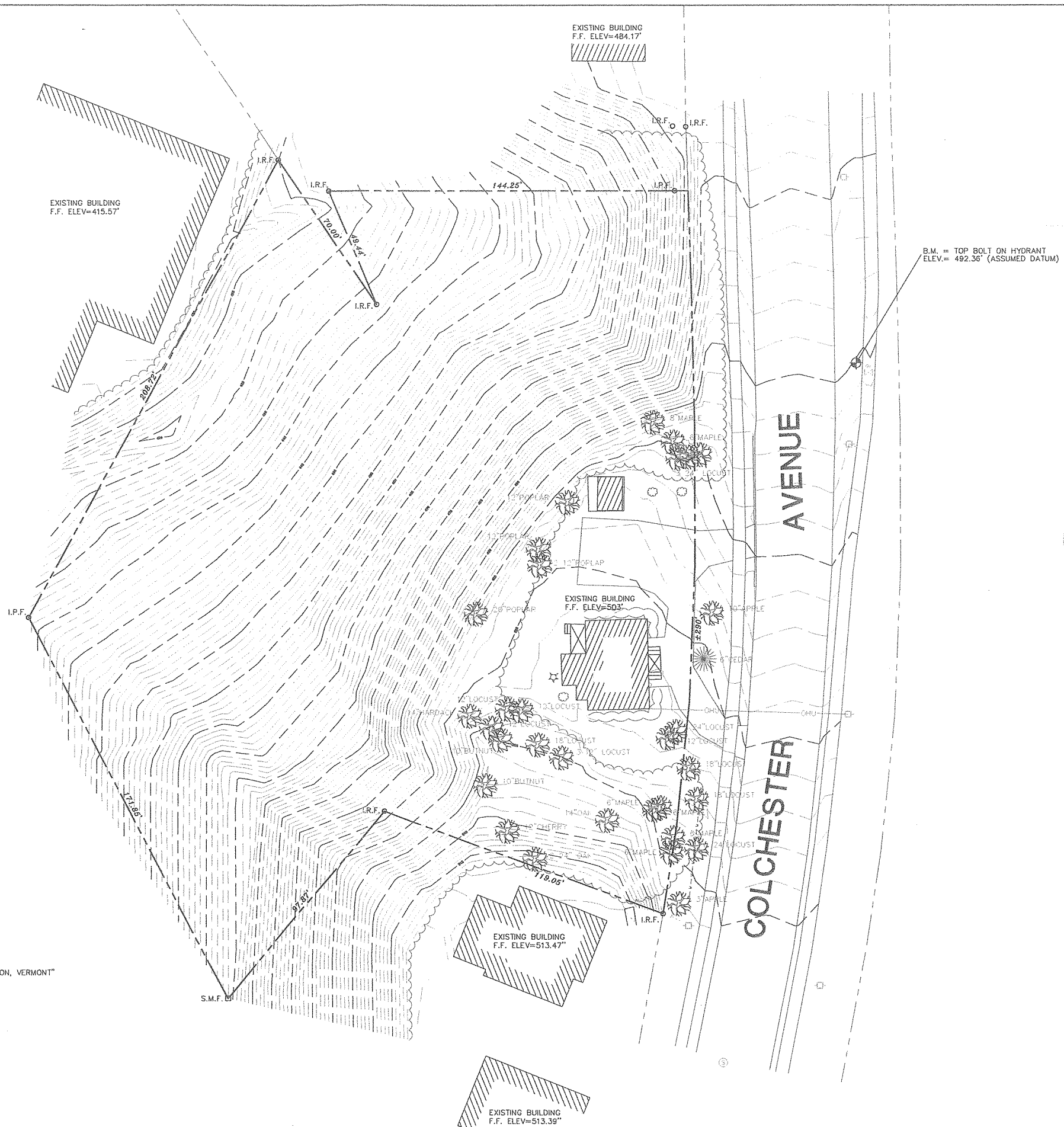
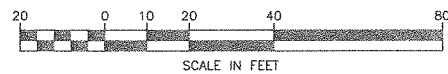
LEGEND	
	PROPERTY LINE
	RIGHT OF WAY OR PARCEL LINE
	TREELINE
	OVERHEAD UTILITY LINE
	UTILITY POLE
	GUY WIRE
	IRON ROD FOUND
	IRON PIPE FOUND
	STONE MONUMENT FOUND
	1' CONTOUR LINE
	5' CONTOUR LINE
	DECIDUOUS TREE
	CONIFEROUS TREE
	DECIDUOUS SHRUB
	CONIFEROUS SHRUB

NOTES:

- 1) MAGNETIC NORTH IS BASED ON REFERENCE #1.
- 2) ALL ELEVATIONS SHOWN HEREON ARE BASED ON LOCALLY ASSUMED DATUM.

REFERENCES:

- 1) A PLAT ENTITLED "PLAT OF LANDS OF GHISLAINE L. LEVEILLE, 380 COLCHESTER AVENUE, BURLINGTON, VERMONT" PREPARED BY RICHARD W. BELL LAND SURVEYING.



RICHARD W. BELL
LAND SURVEYING, INC.
297 SOUTH MAIN ST.
BARRE, VERMONT 05641
802-479-9262 C 802-793-5037
EMAIL: RBELL@RWBELL-LANDSURVEYOR.COM

PROJECT # 14792

PROJECT MANAGER: RWB

DESIGN: TWW

DRAFTER: TWW

CHECKED BY: RWB

DATE: JANUARY, 2014

SCALE: 1"=20'

REVISIONS

RECEIVED

JUN 10 2014

DEPARTMENT OF
PLANNING & ZONING

EXISTING CONDITIONS PLAN
GHISLAINE L. LEVEILLE

380 COLCHESTER AVENUE
BURLINGTON, VERMONT

C1

DWG. # S-792

SHEET 1 OF 1

RECEIVED
JUN 10 2014

DEPARTMENT OF
PLANNING & ZONING

REFERENCES:

- 1) A PLAT ENTITLED "PLAN OF PROPERTY OF CHARLES CURTIS LORD, COLCHESTER AVENUE, BURLINGTON, VERMONT" DATED SEPT. 29, 1947 AND RECORDED IN B. 127, P. 350 OF THE CITY OF BURLINGTON LAND RECORDS.
- 2) A PLAT ENTITLED "PROPERTY PLAN, MRS. FRANCIS LEVEILLE, BURLINGTON, VT." PREPARED BY WILLIAM & WARREN ROSENSTEN, DATED JUNE, 1967 AND RECORDED IN B. 183, P. 240 OF THE CITY OF BURLINGTON LAND RECORDS.
- 3) A PLAT ENTITLED "PLAT OF SURVEY PATRICK J., ROBERT P & JO ANN ALBERRY, N.O.S 408-410 COLCHESTER AVENUE, BURLINGTON, VERMONT" PREPARED BY WARREN A. ROSENSTEN, DATED DEC. 1998 AND RECORDED IN SLIDE #332D OF THE CITY OF BURLINGTON LAND RECORDS.
- 4) A PLAT ENTITLED "SUBDIVISION PLAT, DEIRDRE DONOVAN AND HORACE MITCHELL, 352 COLCHESTER AVENUE, BURLINGTON, VT." PREPARED BY TRUDELL CONSULTING ENGINEERS, DATED 1/15/07 AND RECORDED IN SLIDE #419D OF THE CITY OF BURLINGTON LAND RECORDS.
- 5) WARRANTY DEED OF LAWRENCE A. AND GHISLAINE LEVEILLE TO JAMES W. JARVIS, ET AL, DATED 10/16/1978 AND RECORDED IN B. 256, P. 272 OF THE CITY OF BURLINGTON LAND RECORDS.
- 6) WARRANTY DEED OF LAWRENCE A. LEVEILLE TO GHISLAINE L. LEVEILLE, DATED 7/25/1979 AND RECORDED IN B. 263, P. 224 OF THE CITY OF BURLINGTON LAND RECORDS.

NOTES:

- 1) BEARINGS ARE BASED ON MAGNETIC OBSERVATIONS TAKEN AT THE TIME OF THIS SURVEY.
- 2) OTHER EASEMENTS RECORDED OR UNRECORDED MAY EXIST.
- 3) NO ENCROACHMENTS WERE OBSERVED.

